

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CANADA DRY DELAWARE VALLEY
BOTTLING COMPANY and CANADA
DRY POTOMAC CORPORATION

Petitioners,

- against -

HORNELL BREWING CO., INC. d/b/a
FEROLITO, VULTAGGIO & SONS,

Respondent.
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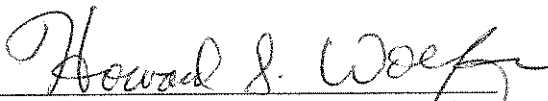
RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualifications or recusal, the undersigned counsel for Hornell Brewing Co., Inc. (a private non-governmental party) certifies that it has no corporate parents, affiliates and/or subsidiaries which are publicly held and there is no publicly held corporation that owns 10% or more of its stock.

Dated: New York, New York
July 23, 2008

Respectfully submitted,

MORRISON COHEN LLP

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